

Where can I find Downtown setback requirements?

Land Use Code (LUC) 20.25A.020 is the first code section to check. It includes a chart of most dimensional requirements, including setbacks, for the Downtown land use districts. When reviewing that chart, pay close attention to the footnotes. For example, Notes (4) and (15) establish maximum front-yard setbacks of 0' for most arterial street frontages. In other situations, the notes may require a greater setback than the chart indicates.

If your property is in the Perimeter Design District (PDD), which is a district that overlays some of the Downtown properties, additional setbacks may apply. Those setbacks are charted in LUC 20.25A.090. The PDD is defined and mapped by LUC 20.25A.090.

What are the basic setback requirements?

For properties located in the DNTN-0-1, DNTN-0-2, DNTN-MU, DNTN-R, and DNTN-OB districts, front, rear, and side setbacks are 0'. For properties in the DNTN-OLB district, front and rear setbacks are 20', and side setbacks are 0'. However, these setbacks are just a starting point and can be affected by a number of other code provisions.

Why are most front-yard setbacks 0'?

In Bellevue's Downtown we want to promote a vibrant urban commercial center. A 0' setback creates a street wall that helps define and enclose the street corridor. That adds to a sense of activity and intensity and fosters an interactive relationship between the pedestrian on the sidewalk and the commercial activities within the building. Exceptions to the 0' maximum setback apply in the DNTN-OLB district, as stated above, and in the Perimeter Design District (see below).

Where are setbacks measured from?

The front setback is measured from the inside edge of the required perimeter sidewalk. The rear and side setbacks are measured from the property line.

When are greater setbacks required?

All buildings in the Downtown which exceed 75' in height must provide an upper-level side and rear setback of at least 20'. This setback requirement applies to all floors above 40'. This requirement may be modified by the director of Planning & Community Development (PCD) if the applicant demonstrates that the resulting design will be more consistent with applicable design review criteria and if the building design, with the modification, will create sufficient spacing between towers to encourage a feeling of an open and airy Downtown.

The **Perimeter Design District**, as mentioned above, has special setback requirements. At the ground level, buildings in PDD Subdistrict A must be set back at least 20' from the Downtown boundary. This requirement does not apply to Subdistricts B or C.

The PDD also requires an *upper level setback* which applies to all Subdistricts (A, B, and C) along certain streets. This setback must be at least 15' deep and must occur at a height no more than 40' above average finished grade. See LUC 20.25A.090.D.6 for a list of the affected streets.

Similarly, each building façade in the **Downtown Core Design District** facing NE 4th, NE 8th, and 104th NE must provide an *upper level set back* of 20' or more at a height between 25' and 40' above average finished grade.

Street trees, if required to be planted on the property side of the sidewalk due to existing utility locations, will add 4' to the required front-yard setback.

Street frontage landscaping required by LUC 20.25A.040 may increase the front-yard setback by up to 8'. However, in most cases a more urban alternative, such as a street wall, will replace the landscaping requirement.

Does the code establish maximum setbacks?

Yes. Maximum setbacks are established for many locations in the Downtown, including:

Along Main Street, in Old Bellevue (DNTN-OB), the front-yard setback for residential or nonresidential use is always 0'; it may not be increased.

When abutting a street pursuant to LUC 20.25A.115 (Design Guidelines – Bldg/Sidewalk Relationships), the maximum front-yard setback is 0' unless approved by the director of PCD.

In the **DNTN-OLB** district, the maximum front or rear setback from 112th Ave NE is 30', unless otherwise approved by the director of PCD to permit a drop-off lane.

Are there exemptions from setback requirements?

Yes. Marquees or awnings which comply with the requirements of LUC 20.25A.030.C (FAR Amenity Incentive System) may extend over the public right of way if approved by the director of the Transportation Department and the PCD director, as long as that extension does not conflict with any other city code, such as the Sign Code (Bellevue City Code 22B.10) or the building code (currently chapter 32 of the Uniform Building Code).

Also, in the DNTN-OLB district, the director of PCD may approve an intrusion into the 20' front-yard setback from the east side of 112th Ave NE to permit pedestrian-oriented frontage retail uses. The intrusion is limited to 30% of the required front-yard setback area. All buildings within the setback area must be devoted to pedestrian-oriented uses and meet applicable design criteria for such uses.

Finally, the upper level setback requirement for the Downtown Core Design District described above can also be waived through design review if: (a) the setback is not feasible due to site constraints, such as a small or irregularly shaped lot, or (b) the modification is necessary to achieve design elements encouraged by the Land Use Code, and the modification does not interfere with preserving view corridors.

Where can I get additional information?

- Handout L-12, Building Setbacks
- LUC 20.25A.020, Downtown Dimensional Requirements
- LUC 20.25A.090, Perimeter Design District Dimensional Requirements
- Design Guidelines: Bldg/Sidewalk Relationships
- Design Guidelines: Pedestrian Corridor & Major Public Open Space

This document is intended to provide guidance in applying certain Land Use Code regulations and is for informational use only. It cannot be used as a substitute for the Land Use Code or for other city codes, such as the Construction Codes. Additional information is available from Development Services at Bellevue City Hall or on the city website at www.bellevuewa.gov.

For land use regulations that may apply to your project, contact the Land Use Information Desk in Development Services. Phone: 425-452-4188. E-mail: landusereview@ci.bellevue.wa.us. Assistance for the hearing impaired: dial 711.
